ESTTA Tracking number:

ESTTA95923

Filing date:

### 08/23/2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91171383
Party	Defendant FPL Group, Inc. FPL Group, Inc. LAW/JB 700 Universe Blvd. Juno Beach, FL 33408
Correspondence Address	FREDERICK COHAN FLORIDA POWER & Samp; LIGHT COMPANY LAW/JB 700 UNIVERSE BLVD. JUNO BEACH, FL 33408 mkeipdocket@michaelbest.com
Submission	Answer
Filer's Name	Ariana G. Voigt
Filer's e-mail	mkeipdocket@michaelbest.com
Signature	/ariana g voigt/
Date	08/23/2006
Attachments	A1735267.PDF ( 3 pages )(221621 bytes )

# IN THE UNITED STATES PATENT & TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Application Serial No.: 78/636,707

Filed: May 25, 2005

Published in the Official Gazette of: Feb. 14, 2006

Mark: GRIDFLORIDA

NATIONAL GRID USA

Opposers,

Opposition No. 91171383

v.

FPL GROUP, INC.

Applicant.

### **ANSWER TO NOTICE OF OPPOSITION**

Applicant, FPL Group, Inc. ("FPL"), by its attorneys, hereby answers the Notice of Opposition as follows:

- 1. FPL lacks knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 1 and therefore denies the same.
- 2. FPL admits to all the allegations in paragraph 2 except with respect to FPL's zip code, which is incorrect and should be replaced with "33408-0420."
- 3. Opposer has omitted paragraph 3 from its Notice of Opposition, and accordingly, there are no allegations to answer.
- 4. FPL lacks knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 4 and therefore denies the same.
- 5. FPL admits that a trademark registration is prima facie evidence of the validity of a mark; FPL denies the remaining allegations in paragraph 5.

6. FPL lacks knowledge or information sufficient to form a belief as to the truth of

the allegations in paragraph 6 and therefore denies the same.

7. FPL lacks knowledge or information sufficient to form a belief as to the truth of

the allegations in paragraph 7 and therefore denies the same.

8. Denied.

9. Admitted.

10. FPL lacks knowledge or information sufficient to form a belief as to the truth of

the allegations in paragraph 10 and therefore denies the same.

11. FPL denies that the NATIONAL GRID mark and the GRIDFLORIDA mark are

similar in appearance, sound, spelling, meaning and commercial impression; FPL lacks

knowledge or information sufficient to form a belief as to the truth of the remaining allegations

in paragraph 11 and therefore denies the same.

12. Denied.

Dated this 23rd day of August, 2006.

Respectfully submitted,

Mighael Best & Friedrich LLP

Apprneys for FPL Group, Inc.

D.,,

Gerald L. Fellows

Ariana G. Voigt

100 East Wisconsin Ave., Ste. 3300

Milwaukee, WI 53202-4180

Phone: 414.271.6560

Fax: 414.227.0656

#### CERTIFICATE OF MAILING AND SERVICE

I hereby certify that the original of said document was filed on the same day with the U.S.P.T.O. by electronically filing through the Electronic System for Trademark Trials and Appeals at http://estta.uspto.gov, and that a true copy of the said document has been served on Opposer's counsel by sending the same by U.S. mail postage prepaid to:

Danny Awdeh, Finnegan, Henderson, Farabow, Garret & Dunner LLP 901 New York Ave., N.W. Washington, D.C. 20001-4413

Ariana G. Voigt

On the 23rd day of August 2006.

3